

Division, United States Department of Justice, Washington, DC; The Honorable Daniel Bryant, Assistant Attorney General, Office of Legal Policy, United States Department of Justice, Washington, DC; and Mr. Cary Bald, Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, United States Department of Justice, Washington, DC.

Panel II: Mr. David Cole, Professor of Law, Georgetown University Law Center, Georgetown University, Washington, DC; and Mr. Paul Rosenzweig, Senior Legal Research Fellow, The Heritage Foundation, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 5, 2004, at 2:30 p.m., to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON FORESTS AND PUBLIC LANDS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Lands of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 5, at 2:30 p.m.

The purpose of the hearing is to receive testimony on the following bills: S. 155, to convey to the town of Frannie, WY, certain land withdrawn by the Commissioner of Reclamation; S. 2285, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, UT; S. 1521, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, NV, for the construction of a Post building and memorial park for use by the American Legion, other veterans' groups, and the local community; S. 1826, to direct the Secretary of the Interior to convey certain land in Washoe County, NV, to the Board of Regents of the University and Community College System of Nevada; S. 2085, to modify the requirements of the land conveyance to the University of Nevada at Las Vegas Research Foundation; and H.R. 1658, to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the Transcontinental Railway, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON PERSONNEL

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 5, 2004, at 9

a.m., in closed session to mark up the personnel programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 5, 2004, at 10 a.m., in closed session to mark up the readiness and management support programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space be authorized to meet on Wednesday, May 5, 2004, at 2:30 p.m., on Space Shuttle and the Future of Space Launch Vehicles.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON STRATEGIC FORCES

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 5, 2004, at 11:30 a.m., in closed session to mark up the strategic forces programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGE OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent for Jill Gotts, a legislative fellow for the Finance Committee majority staff, be granted floor privileges between now and the end of the 108th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOTICE: PUBLIC FINANCIAL DISCLOSURE REPORTS

The filing date for 2004 Public Financial Disclosure reports is Monday, May 17, 2004. Senators, political fund designees and staff members whose salaries exceed 120 percent of the GS-15 pay scale must file reports.

Public Financial Disclosure reports should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Public Records office will be open from 8 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224-0322.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h-276k, as amended, appoints the following Senator as a member of the Senate Delegation to the Mexico-U.S. Interparliamentary Group during the Second Session of the 108th Congress: The Senator from New Mexico, Mr. BINGAMAN.

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a-1928d, as amended, appoints the following Senators as members of the Senate Delegation to the NATO Parliamentary Assembly during the Second Session of the 108th Congress: Senator ERNEST F. HOLLINGS of South Carolina, Senator ZELL MILLER of Georgia.

#### NATIONAL WORLD WAR II MEMORIAL

Mr. FRIST. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S.J. Res. 34 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER (Mr. COLEMAN). Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 34) designating May 29, 2004, on the occasion of the dedication of the National World War II Memorial, as Remembrance of World War II Veterans Day.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. FRIST. I further ask that the joint resolution be read three times and passed, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements related to this matter be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (S.J. Res. 34) was read the third time and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

#### S.J. RES. 34

Whereas on May 29, 2004, thousands of veterans, their families, and friends will gather on the Mall in Washington, District of Columbia, to dedicate the National World War II Memorial;

Whereas on that day, Americans will pay tribute to the more than 16,112,000 veterans of all military services who served in World War II between the German invasion of Poland in 1939 and the surrender by Japan on V-J Day in 1945;

Whereas on that day, Americans will be reminded of the heroism and sacrifice of members of the Armed Forces who were on duty during some of the critical conflicts of World War II, including the attack on Pearl Harbor of December 7, 1941, the Battle of Midway of June 6, 1942, the invasion of Guadalcanal on August 7, 1942, the Allied campaign in North

Africa in November 1942, Operation Overlord (D-Day) on June 6, 1944, the capture of Iwo Jima on February 23, 1945, and the Tokyo bombing raids of March 1945;

Whereas on that day, veterans and their families from North Dakota will honor the heroism and sacrifice of the approximately 69,000 North Dakota veterans who served in World War II, including 1,569 who made the ultimate sacrifice, and recognize the hardships and sacrifices of the 164th Regiment of the American Division, a unit of the North Dakota Army National Guard, who were the first unit of the United States Army to land on Guadalcanal on October 13, 1942, in the campaign to recapture that island;

Whereas on that day, America will acknowledge the supreme sacrifice of the more than 400,000 Army, Army Air Corps, Navy, Marine Corps, Coast Guard, and Merchant Marine personnel who were killed in action in World War II;

Whereas 12 distinguished Senators and Members of Congress serving in the 108th Congress, including Senator Daniel K. Akaka, Senator Ernest F. Hollings, Senator Daniel K. Inouye, Senator Frank R. Lautenberg, Senator Ted Stevens, Senator John W. Warner, Congressman Cass Ballenger, Congressman John D. Dingell, Congressman Ralph M. Hall, Congressman Amo Houghton, Congressman Henry J. Hyde, and Congressman Ralph Regula, served in World War II; and

Whereas World War II veterans, members of the generation known as "the Greatest Generation", through their sacrifice and hard work over more than 50 years, have enabled millions of Americans to enjoy unparalleled prosperity and the blessings of freedom: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That May 29, 2004, is hereby designated as Remembrance of World War II Veterans Day, and the President is urged to call upon the people of the United States to celebrate the day with appropriate ceremonies and activities.

#### ORDERS FOR THURSDAY, APRIL 6, 2004

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, May 6th. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and following the time of the two leaders, the Senate then begin a period of morning business for up to 90 minutes, with the first half of the time under the control of the majority leader or his designee, and the second half under the control of the Democratic leader or his designee; provided that following morning business, the Senate resume consideration of Calendar 381, S. 1637, the FSC/ETI JOBS bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. FRIST. Mr. President, tomorrow, following morning business, the Senate will resume consideration of the FSC/ETI JOBS bill. We made excellent progress on the bill today, disposing of four amendments. I hope we can con-

tinue that process and that progress tomorrow with respect to relevant amendments to the bill. Senators should expect rollcall votes on amendments throughout the afternoon. The Senate may also act on executive nominations during tomorrow's session; therefore, additional votes are possible.

In particular, I look forward and hope we would be able to act on one very important nominee, John D. Negroponte of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iraq. Many members have had the opportunity to get to know this particular nominee, to discuss his plans for the future, and it is critical we act as soon as we possibly can on this nominee who will be our ambassador to Iraq. It is critical we do that as soon as possible. It is my hope and expectation to do that tomorrow.

#### ORDER FOR ADJOURNMENT

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator DAYTON for up to 10 minutes and Senator MURRAY for up to 60 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

#### IRAQ PRISONER ATROCITIES

Mr. DAYTON. Mr. President, I was present for the concluding remarks of the majority leader regarding the atrocities committed in Iraq against the prisoners there. I certainly share his sentiments. A number of my colleagues have spoken today from both sides of the aisle expressing their horror, their outrage, and their deep regret. I join with them as well.

I also am deeply disturbed as a Senator and as a Member of the Senate Armed Services Committee at the lack of communication from the military and the civilian command to those Members of the Senate about these incidents—in fact, right up to the moment they were disclosed to the American people through, fortunately, a free and vigilant press.

According to the information I have been able to obtain, a copy of the most recently referenced classified internal military report, and other news reports about that and other information, many of these incidents that have been under investigation occurred last October, last November—in other words, over half a year ago. They are horrible events. The report said that Iraqi prisoners had been victims of sadistic, blatant, and wanton criminal abuses. They were beaten with broom handles and chairs and threatened with rape. One prisoner was sodomized with a chemical light stick or with a broomstick. Military dogs were also used to

frighten and intimidate detainees. One graphic description in the New York Times today talks about the experience of a particular Iraqi male, the deep humiliation and shame he still feels, the utter degradation, the sadistic and disgusting abuse of him night after night by his American captors.

I agree with the remarks of the majority leader that these people carrying out these terrible deeds were few in number, but tragically their impact is enormous. They are going to make life a lot more difficult and a lot more dangerous for the 134,000 incredibly brave, patriotic Americans who are over there putting their lives on the line every day and night.

A story in the New York Times gives a sense of how this is affecting the way the United States is viewed in the Arab world, saying in the Arab world and beyond, the tormenting of Iraqi prisoners by their American guards shredded already thin support for Washington's invasion of Iraq and its vow to install democratic values and respect for human rights.

The outrage over the abuse shown in pictures flashed across front pages and television screens drew emotional comparisons, asking how the American occupation of the country could be distinguished from the way Saddam Hussein's government oppressed the ordinary Iraqis. This kind of outrage will lead to more attacks against our forces, greater intensity of attacks, more bombing and assassination attempts against our forces and other representatives, more casualties, more men and women from America dying, shedding blood as a result of this immoral and illegal misconduct.

The U.S. military, according to this report, first became aware of these incidents, or some of them, as early as January of this year; in fact, maybe even sooner than that. It was January 19 that LTG Ricardo Sanchez, the commander of the joint task force in Iraq, requested that these incidents of last October, November, and December be investigated. There was a preliminary report which indicated systemic problems within the prison brigade and suggested a lack of clear standards, proficiency, and leadership.

That investigation began then on January 24. It was carried out through interviews and other investigations of both Iraqi prisoners, former prisoners, and U.S. military personnel who had witnessed these incidents.

On February 29, the executive summary was presented to the military command; on March 19, the final written report. The outbrief to the appointing authority took place on March 3, 2004. That is 2 months ago, and actually the 2 months preceding that, various people in the chain of command were aware of these incidents.

They must have recognized the enormous impact they would have, the devastating effect they would have upon our situation in that country, militarily, diplomatically, and in our relations with other countries throughout